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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/074,477	02/11/2002	James Lee Combs	2001-0553.01	6312

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TAYLOR & AUST, P.C.
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EXAMINER
NGUYEN, DUSTIN

ART UNIT	PAPER NUMBER
2154	

DATE MAILED: 10/31/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/074,477

Applicant(s)

COMBS ET AL.

Examiner

Dustin Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 July 2006.
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1-19 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

1. Claims 1-19 are presented for consideration.

Response to Arguments

2. Applicant's arguments filed 07/18/2006 have been fully considered but they are not persuasive.

3. As per remarks, Applicants' argued that (1) Cone does not disclose, teach, or suggest a microprocessorless network adapter interconnecting at least one host computer and at least one peripheral device, as recited in claim 1.

4. As to point (1), Cone discloses a microprocessorless network adapter [i.e. an ASIC substantially removes or reduces the need for standard components (such as a CPU) and the ASIC has its own internal FIFO buffers and state machines that cooperate to perform processing typically performed by processors] [12, Figure 1; and paragraphs 0014 and 0051] interconnecting at least one host computer [i.e. the network device can include PCI controllers, input/output controllers, switches, routers or other such devices] [16, Figure 1; and paragraphs 0016 and 0023] and at least one peripheral device [i.e. the appliance can include printer devices or other peripheral devices] [14, Figure 1; Abstract; and paragraphs 0017 and 0050].

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5. As per remarks, Applicants' argued that (2) Cone does not disclose, teach, or suggest an adapter configured to manage power on a peripheral device.

6. As to point (2), it is rejected for similar reasons as stated in the previous Office Action.

7. As per remarks, Applicants' argued that (3) Cone does not disclose, teach or suggest sending a command to any peripheral device to go into a low power sleep mode as recited in claim 10.

8. As to point (3), it is rejected for similar reasons as stated above in the previous Office Action.

9. As per remarks, Applicants' argued that (4) Cone does not disclose, teach, or suggest an adapter configured to at least one of send a wake-up command to the at least one peripheral device and verify an active status of the at least one peripheral device before accepting the inbound data.

10. As to point (4), Cone discloses the above limitation [i.e. to obtain or acquire printer status information] [paragraphs 0004, 0005 and 0023].

11. As per remarks, Applicants' argued that (5) Cone does not disclose, teach, or suggest an adapter that is configured to performed automatic USB enumeration.

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12. As to point (5), Cone discloses the above limitation [i.e. request to the port controller to obtain information, such as printer type or printer status] [paragraph 0046].

Claim Rejections - 35 USC § 102

13. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

14. Claims 1-19 are rejected under 35 U.S.C. 102(e) as being anticipated by Cone et al. (U.S. 2002/0078118).

Cone et al. teaches claims :

1. A computer network, comprising: at least one host computer; at least one peripheral device; and a microprocessorless network adapter interconnecting said at least one host computer and said at least one peripheral device. (¶[0016]; abstract; ¶ [0051]) "In conclusion, an embodiment of the invention provides a processorless solution to the transfer of data between the appliance 14 and the network device 16, by using the ASIC 10 to allow direct attachment of the appliance 14 to the network device 16. The ASIC 10 uses state machines and on-chip storage buffers to perform protocol processing and data/packet processing typically performed by CPUs, RAM and flash memory, and embedded internal software. By eliminating or reducing the need for these

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standard components, the ASIC 10 uses less overhead, is less costly, and has a smaller die size.")

2. The network of claim 1, wherein said network adapter is configured to meet standard requirements for a Universal Serial Bus (USB) host. (¶[0015])

3. The network of claim 2, further comprising a USB hub interconnecting said at least one peripheral device and said network adapter. (¶[0015])

4. The network of claim 3, wherein said at least one peripheral device comprises a plurality of peripheral devices, said adapter being configured to support said plurality of peripheral devices. (¶[0015], [0017])

5. The network of claim 4, wherein each said peripheral device has a unique network address. (¶[0019], [0047], [0048])

6. The network of claim 5, wherein each said unique network address comprises a unique internet protocol address. (¶[0019])

7. The network of claim 6, further comprising a remotely attached host computer including one of a device driver and a utility, each said unique internet protocol address being assigned by said one of a device driver and a utility. (28)

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8. The network of claim 5, wherein said adapter is configured to route data to and from said peripheral devices using said unique network addresses. (¶[0019], [0047], [0048])
9. The network of claim 1, wherein said adapter is configured to manage power on said at least one peripheral device. (¶[0021], [0033], claim 18))
10. The network of claim 1, wherein said adapter is configured to send said at least one peripheral device at least one command to go into a low-power sleep mode until said adapter detects inbound data bound for said at least one peripheral device. (¶[0021], [0033], claim 18))
11. The network of claim 1, wherein said adapter is configured to at least one of send a wake-up command to said at least one peripheral device and verify an active status of said at least one peripheral device before accepting the inbound data. (¶[0021], [0033], claim 18))
12. The network of claim 1, wherein said adapter is configured to perform automatic USB enumeration. (¶[0023]-[0028])
13. The network of claim 12, wherein said enumeration is performed without software.
(¶[0023]- [0028])
14. A network adapter comprising: at least one application specific integrated circuit; and support electronics, wherein said adapter is microprocessorless. (¶[0016]; abstract; ¶ [0051] "In

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conclusion, an embodiment of the invention provides a processorless solution to the transfer of data between the appliance 14 and the network device 16, by using the ASIC 10 to allow direct attachment of the appliance 14 to the network device 16. The ASIC 10 uses state machines and on-chip storage buffers to perform protocol processing and data/packet processing typically performed by CPUs, RAM and flash memory, and embedded internal software. By eliminating or reducing the need for these standard components, the ASIC 10 uses less overhead, is less costly, and has a smaller die size.")

15. The adapter of claim 14, wherein said adapter is configured to meet standard requirements for a Universal Serial Bus (USB) host. (§[0015])

16. The adapter of claim 14, wherein said adapter is configured to interconnect at least one peripheral device and at least one host computer. (§[0015], [0017])

17. The adapter of claim 14, wherein said adapter is configured to: detect inbound data; process the inbound data; and pass the processed data to at least one peripheral device. (§ [0015], [0017])

18. The adapter of claim 14, wherein said application specific integrated circuit is configured to perform automatic USB enumeration. (§[0023]-[0028])

19. The adapter of claim 18, wherein said enumeration is performed without software. (§[0023]-

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[0028])

15. THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Conclusion

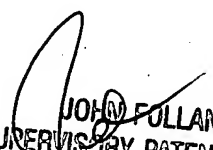
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dustin Nguyen whose telephone number is (571) 272-3971. The examiner can normally be reached on flex schedule.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Follansbee John can be reached on (571) 272-3964. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Dustin Nguyen
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